



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

SEPTEMBER 15, 2005

#### **CALL TO ORDER:**

Vice-Chair Jostes called the meeting to order at 1:13 p.m.

#### **ROLL CALL:**

##### **Present:**

Vice-Chair John Jostes

Commissioners, Charmaine Jacobs, Bill Mahan, George C. Myers and Harwood A. White, Jr.

##### **Absent:**

Chair Maguire

Commissioner Larson

#### **STAFF PRESENT:**

Jan Hubbell, Senior Planner

Michael Berman, Environmental Analyst

Kathleen Kennedy, Assistant Planner

Karl Treiberg, Waterfront Facilities Manager

Tully Clifford, Supervising Transportation Engineer

N. Scott Vincent, Assistant City Attorney

Barbara Walsh, Acting Planning Commission Secretary

## **II. PRELIMINARY MATTERS:**

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

There were no announcements.

- B. Announcements and appeals.

Ms. Hubbell announced that on September 27, 2005, there will be an appeal to City Council regarding 13 W. Haley Street. Any member of the Planning Commission can attend.

- C. Comments from members of the public pertaining to items not on this agenda.

Public comment opened at 1:15 p.m. and seeing no one wished to speak, it was closed.

**III. NEW ITEM(S):**

**ACTUAL TIME: 1:15 P.M.**

**A. APPLICATION OF KARL TREIBERG, AGENT FOR CITY OF SANTA BARBARA, WATERFRONT DEPARTMENT (PROPERTY OWNER), 307 SHORELINE DRIVE, 033-120-018, HC ZONE, GENERAL PLAN DESIGNATION: HARBOR (MST04-00084/CDP2005-00013)**

The proposed project involves removal of four “dolphin” piles, two guide piles and an existing 12 foot by 16 foot floating walkway and reconfiguration of the existing lease area at the southern end of Marina 4B to install sixteen, 24 inch diameter, steel piles in four rows, to accommodate up to three vessels, moored perpendicular to the dock. Mooring tackle and smaller piles would be welded to the 24 inch diameter piles. Dockside amenities, including dock boxes, electricity, phone, cable, and water, primarily routed within existing conduits, would be provided for each vessel. The discretionary application required for this project is a recommendation to the Coastal Commission to approve a Coastal Development Permit to allow the proposed development in the California Coastal Commission Permit Jurisdiction (SBMC §28.45.009). An Addendum to the Marinas 1 and 4 Expansion Project Mitigated Negative Declaration (ENV96-0209) has been prepared for the project.

Case Planner: Michael Berman, Project Planner

Email: [mberman@santabarbaraca.gov](mailto:mberman@santabarbaraca.gov)

Michael Berman gave a brief presentation regarding the project.

Karl Treiberg, Waterfront Facilities Manager, gave the applicant presentation on the project.

The public hearing opened at 1:24 p.m. and the following person spoke, expressing concerns about the project:

Mr. Philip Beguhl

The public hearing closed at 1:30 p.m.

The Commission had the following comments and/or questions:

1. Asked if other boats currently run static tests; suggests perhaps notifying neighboring boats.
2. Believed Mr. Beguhl’s concerns can be addressed with stipulations.
3. Asked why the three referenced boats back into the dock.
4. Expressed concern regarding the carbon monoxide generated from idling. Asked if it mattered which direction the boats docked with regard to pulling emissions away from dock and other residents/users.

5. Asked if there is a condition that can be placed that would minimize the noxious fumes.
6. Asked about the procedure for following up on projects such as this.

Mr. Treiberg answered that there are no conditions that could alleviate the noxious fumes; however, the lease could be altered to abate the nuisance. Mr. Treiberg added that the Waterfront Department does its best to address any complaints and/or issues that arise as they are submitted.

Ms. Hubbell stated the project is adding one slip in a harbor of over 1,100 existing slips and that the addition to the adjacent slips does not present an environmental impact issue. Additionally, she stated that any conditions added need to be enforceable and that a stipulation could be placed that would limit the use of generators while the boats are in-dock. She also stated that enforcement usually is taken care of at a Staff level, on site, before a complaint is heard before the City Council or City Administrator's office.

**MOTION: White/Mahan Assigned Resolution No. 059-05** Make the Coastal Development Permit findings outline with the following amendments: 1) The Waterfront Department shall place stipulations on slip leases that limit the use of generators while the boat is in-dock. 2) The slip holders shall minimize the effects of any propeller wash that occurs during mechanical testing at the discretion of the Waterfront Department. This is based on findings that the Commission has considered the Addendum and the Final Mitigated negative Declaration (MND), has determined that the Addendum has been prepared in compliance with the California Environmental Quality Act and its related Guidelines and, together with the MND, constitutes adequate analysis of the project. The document may be found at 630 Garden Street. The impacts have been mitigated to less than significant levels.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: Larson & Maguire

The Commission recessed from 1:47 p.m. to 2:02 p.m.

**ACTUAL TIME: 2:02 P.M.**

**B. APPLICATION OF VADIM M. HSU, ARCHITECT, AGENT FOR DARUSH AND DEBRA M. BABAI, PROPERTY OWNERS, 1905 CLIFF DRIVE, APN 045-015-007, C-P/R-2/SD-3, RESTRICTED COMMERCIAL, TWO-FAMILY RESIDENCE, AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2002-00729) (CDP2002-00014)**

The proposed project is a 6,596 square foot, 2-story mixed use development consisting of two buildings. The existing use of the subject site is a 1,232 square foot gas station, which would be demolished. Removal of the existing use would require remediation of the soil and groundwater due to a leaking underground fuel tank. The proposed project would consist of 3,470 square feet of commercial space and four (4) rental apartments ranging from 650 to 996 square feet, equaling 3,126 square feet. A total of 22 uncovered parking

spaces are proposed. A variance, approved by the City Council, to allow encroachments into the Cliff Drive setback, would be required.

The discretionary applications required for this project are:

1. Modification to provide less than the required distance between the main buildings (SBMC§28.21.070);
2. Modification to encroach into the required ten foot front yard setback at the Cliff Drive frontage (SBMC§28.54.060);
3. Modification to encroach into the required ten foot front yard setback at the Meigs Road frontage (SBMC§28.54.060);
4. Modification to provide less than the required parking spaces for the project (SBMC§28.90.100);
5. Modification to allow the required 1,250 square feet of private open space to be configured in areas less than 400 square feet and with less than the required minimum dimension of 20 feet (SBMC§28.18.060.C);
6. Coastal Development Permit for development in the non-appeal able jurisdiction of the Coastal Zone (SBMC § 28.45.009); and
7. Development Plan for the 3,470 square feet of non-residential floor area to the subject site plan (SBMC§28.87.300).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15330 (Minor Hazardous Waste Remediation) and Section 15332 (Proposed Infill Development Project).

Case Planner: Kathleen Kennedy, Assistant Planner

Email: [kkennedy@santabarbaraca.gov](mailto:kkennedy@santabarbaraca.gov)

Ms. Kennedy gave a brief overview of the project.

Mr. Hsu presented the project.

The Commission had the following questions and comments:

1. Asked where the restrooms will be located for the commercial space.
2. Asked how well the incoming traffic will be controlled and if directional signage will be used.
3. Asked how the parking lot is going to be paved.
4. Asked about solar enhancements and how the open parking could be covered provide solar panels.
5. Questioned the modifications and the reasoning regarding the distance between the buildings.
6. Noticed that a street light is proposed to be moved and requested clarification.

Mr. Hsu explained the location of the commercial restrooms, the proposed paving, the desire to build a level 3 green building, groundwater recycling, solar options, energy efficiency; and shading and landscaping to reduce cooling loads on the commercial aspect. Mr. Hsu also discussed the distance between the two buildings the property lines and clarified the street light plans.

Ms. Hubbell clarified the current zone standards from the Zoning Ordinance.

The public hearing opened at 2:26 p.m.

The following people expressed concerns about the project:

Inez Gilkeson

Sue Trescher, President of La Mesa Neighborhood Association

The public hearing closed at 2:42 p.m.

The Commission had the following questions and/or comments:

1. Asked if the project falls under the "mixed-use" definition.
2. Questioned the Planning Commission's role and responsibility in a pollution and/or contamination issue.
3. Asked if the Institute of Traffic Engineers documents parking demand statistics and estimates. Agreed with Ms. Trescher's concern regarding the future use of the commercial spaces for higher-generating commercial uses.
4. Thought the project is positive and appreciates the mix of uses, the design, and the level of green building standards.
5. Requested the lease include language that limits parking to one vehicle per unit.
6. Thought the project brings a nice anchor to a busy intersection and can support the modifications.
7. Inquired into the cooking smells emitted from the ovens of the proposed pizza restaurant and asked how it would be compatible with the neighbors and residents.
8. Expressed concern that there is more concrete than green space and suggested underground parking as one way to increase the green space and add more parking spaces.
9. Considered the break up of the large parking lot with a design element that could accommodate solar panels.
10. Thought the project will enhance the neighborhood and the commercial corner.
11. Thought the new street light should be changed from a "cobra head" to a "cupola" design which would be more appropriate to the Santa Barbara style.
12. Could support the modification for the arcade.
13. Thought the arcade is a nice feature for shade and softens the architecture.
14. Felt that Meigs road is too wide and was supportive of reducing the street to a residential area.

15. Suggested reducing noise levels for the adjacent apartment building by incorporating mitigations into the landscape plan.
16. Thought placing the residential units on top of the parking could increase the green space.
17. Was concerned about the Cliff Drive setback variance.
18. Thought the project level 3 green building proposal and the fact that the units will be rental units all come together in a positive light for the housing element.
19. Thought the proposal will set a positive precedent for the neighborhood in starting to function as a "village."

Ms. Hubbell explained contamination and pollution issues are not in the Planning Commission's jurisdiction, that monitoring wells are in response to current studies, and that contamination and pollution levels are monitored by the County Fire Department.

Mr. Clifford discussed the parking demand analysis.

Kathleen Kennedy, Assistant Planner, stated that an odor prevention plan will be prepared by the applicant.

Mr. Hsu clarified the facility proposed is a "pizza preparation facility" and stated there will be no "cooking" on the premises and that exhaust will be emitted through a mechanical well that goes through the entire development and releases exhaust above the roof of the units.

Mr. Vincent stated that conditioning the parking is an infringement on the tenant's privacy and is difficult to enforce.

**MOTION: Mahan/Jacobs**Assigned Resolution No. 060-05Approval of the project as submitted, making the Findings conditions to be added: 1) Add the use limitation condition to keep the commercial mixture as proposed and any additional change would require additional review for adequate parking. 2) Implement a sound barrier along the southerly and westerly property line. 3) Replace the existing streetlight pursuant to the Architectural Board of Review streetlight subcommittee. 3) The building shall meet the requirements of a level three green building as promulgated through the County regulations.

This motion carried by the following vote:

Ayes: 4 Noes: 1 (Myers) Abstain: 0 Absent: Maguire & Larson

Chair Mahan announced the ten calendar day appeal period.

#### **IV. ADMINISTRATIVE AGENDA**

- A. Committee and Liaison Reports.

Commissioner Myers reported on the Enhanced Transit Subcommittee and stated there was discussion cost of the wish list, current and projected future demand, and funding options to meet that demand.

Vice-Chair Jostes stated he and Commissioners Myers and Jacobs attended a meeting with Staff and related that Staff did an outstanding job in incorporating the Planning Commission's concerns and suggestions into the Issues, Trends, and Conditions Executive Summary.

- B. Review of the decisions of the Modification Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

## **V. ADJOURNMENT**

Chair Maguire adjourned the meeting at 3:18 p.m.

Submitted by,

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Barbara Elizabeth Walsh, Acting Planning Commission Secretary